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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,238	01/30/2002	Mehmet Sayal	10010317-1	2777

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GREIMEL, JOCELYN

ART UNIT	PAPER NUMBER
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3693

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/066,238	Applicant(s) SAYAL ET AL.	
	Examiner JOCELYN GREIMEL	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 January 2008 has been entered.

Status of Claims

Claims 1-14 and 18-22 are currently pending. Claims 1 and 8 are independent claims.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. In reference to Applicant's arguments regarding Knauss as a prior-art reference have been fully considered but they are not persuasive. The Examiner accepts the petition and has reviewed the affidavits filed that attempt to present the Applicant's proposed invention was conceived prior to Knauss's filing date of 21 December 2001, and due diligence in filing the application was exercised from before Knauss's filing date until the application was actually filed. The

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petition is not persuasive to show the present invention was conceived prior to Knauss's filing date of 21 December 2001 as the affidavits do not equate to due diligence in filing the application from before Knauss's filing date until the application was actually filed. Additionally, the Examiner could rely upon and reference the Knauss provisional application filed 27 December 2000 (provisional application: 60/257,980).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 and 18-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Knauss et al (U.S. Patent No. 7,043,687 B2, hereinafter Knauss).

1. In reference to claims 1 and 8, Knauss discloses a method, system and apparatus comprising:
 - a. receiving a message having the first data representation from the internal business process (abstract; col. 1-3); and

- b. automatically converting the message having the first data representation into a corresponding message having the communication format specified by the interaction standard, using format conversion (abstract; col. 1-3).
- 2. In reference to claims 2 and 9-10, Knauss discloses a method and system:
 - c. receiving a message in the communication format from the trading partner (abstract; col. 1-3); and
 - d. automatically converting the received message having the communication format specified by the interaction standard into a corresponding message having the first data representation (abstract; col. 1-3).
- 3. In reference to claims 3-4 and 12-13, Knauss discloses a method and system:
 - e. wherein the interaction standard is one of a peer-to-peer (P2P) standard and a business-to-business (B2B) standard (col. 1-3);
 - f. wherein the interaction standard is one of RosettaNet and the Common Business Library (CBL) (col. 2).
- 4. In reference to claims 5 and 14, Knauss discloses:
 - g. a business internal business process includes at least one workflow (col. 8).
- 5. In reference to claim 6, Knauss discloses a method and system:

- h. wherein the step of automatically converting the message having the first data representation into a corresponding message having the communication format specified by the interaction standard retrieving a service definition (abstract, col. 2-3; col. 6-8);
 - i. retrieving a mark-up language document template; and preparing a mark-up language message that is based on the mark-up language document template (abstract, col. 2-3; col. 6-8).
- 6. In reference to claim 7, Knauss discloses a method and system:
 - j. wherein the step of automatically converting the received message having the communication format specified by the interaction standard into a corresponding message having the first data representation includes:
 - i. retrieving at least one XQL query; and
 - ii. executing the XQL query to extract the data from the reply (col. 2-3).
- 7. In reference to claim 11, Knauss discloses the method and system:
 - k. Wherein the trading partner conversation manager automatically maps a first message with the first data representation into a corresponding first message in the communication format (abstract; col. 2); and
 - l. Automatically maps a second message in the communication format into a corresponding second message in the first data representation (abstract; col. 2).

8. In reference to claims 18-20, Knauss discloses a method and system wherein the step of automatically converting the received message having the communication format specified by the interaction standard into the corresponding message having the first data representation includes the steps of retrieving a service name and XQL queries; parsing the request and extracting data; starting the service and passing data; obtaining service results; retrieving an XML template; preparing an XML response; sending the XML message; and returning control to the workflow server (abstract; see at least col. 2-4; col. 6-11; figures 9-11).

Additionally, in reference to claims 21-22, Knauss discloses interaction flows (col. 8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOCELYN GREIMEL whose telephone number is (571)272-3734. The examiner can normally be reached on Monday - Friday 8:30 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

Jocelyn Greimel
Examiner, Art Unit 3693
March 12, 2008